

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JTH TAX LLC (d/b/a LIBERTY TAX  
SERVICE) and SIEMPRETAX+ LLC,

Plaintiffs,

v.

LORRAINE MCHUGH, RICHARD  
O'BRIEN, and KVC ENTERPRISES LLC,

Defendants.

Case No. C20-329RSM

ORDER GRANTING MOTION FOR  
DEFAULT JUDGMENT

This matter comes before the Court on Plaintiffs JTH Tax LLC and SIEMPRETAX+ LLC's Motion for Default Judgment. Dkt. #91. Defendants have not filed a response or otherwise communicated with the Court.

The Court has previously granted Plaintiffs' Motion for Partial Summary Judgment (Dkt. #77), Motion for Contempt (Dkt. #83), and Motion for Default (Dkt. #85). The Court incorporates by reference the factual conclusions from those Orders. Pursuant to those Orders, the Court found Defendants liable for all claims, issued several monetary awards, ordered injunctive relief, and left the final findings of damages for a later date. The Court directed Plaintiffs to file the instant Motion.

Having considered Plaintiffs' unopposed briefing and the remainder of the record, the Court hereby FINDS and ORDERS:

1) Plaintiffs' Motion for Default Judgment, Dkt. #91, is GRANTED.

2) Plaintiffs JTH Tax LLC and SIEMPRETAX+ LLC shall have judgment against Defendants in the sum of \$686,777.92, which consists of the following:

- a. \$511,856.10 in liquidated damages for violation of the post-termination provisions of the franchise agreements;
- b. \$123,973.90 in unpaid debt from the breach of the franchise agreement and the Note. Interest on this debt continues to accrue at 12% per annum;
- c. Reasonable costs in the amount of \$1,665.90; and
- d. Reasonable attorney's fees in the amount of \$49,282.40.

3) Defendants shall be jointly and severally liable for the full judgment amount.

4) This Judgment will bear interest at the rate of 0.58% per annum from the date it is entered until the date it is fully satisfied.

5) Defendants are ENJOINED until August 16, 2023, from owning, maintaining, engaging in, working for, or having any interest in any other business which sells any products similar to those sold as part of the Liberty Tax Service system within twenty-five miles of McHugh's former Franchise territory; and from diverting or attempting to divert any customer or business from Plaintiffs or solicit or endeavor to obtain the business of any person who shall have been a customer of any of Defendants' prior Franchise locations.

DATED this 4<sup>th</sup> day of April, 2022.



RICARDO S. MARTINEZ  
CHIEF UNITED STATES DISTRICT JUDGE